

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: KEURIG GREEN MOUNTAIN SINGLE-SERVE  
COFFEE ANTITRUST LITIGATION

CIVIL ACTION NO.: 14 MD 2542 (VSB) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Pursuant to the telephone conference held on December 13, 2022 (the “Conference”) in connection with Keurig’s letter-motion to dismiss the C&S portion of Winn-Dixie’s claims (ECF No. 1931 (the “Motion”)), the Court orders as follows:

1. By **December 16, 2022**, Winn-Dixie shall produce (i) C&S’s draft contract with Boston’s Best Coffee, which Daniel Fudger reviewed in preparation for his deposition (see ECF Nos. 1930 at 4; 1954-4 at 10), (ii) the first amendment to the assignment agreement between Winn-Dixie and C&S (see ECF No. 1954-3 at 18); and (iii) the “notes” that Daniel Fudger referenced during his deposition (see ECF No. 1954-4 at 13).
2. Winn-Dixie shall promptly confer with C&S and, by **December 19, 2022**, inform Keurig (i) “why [C&S’s] most recent [transactional] data [production] appeared to drop some data from 2013-2015” (ECF No. 1944-1 at 1), (ii) whether C&S can produce a complete set of corrected transactional data for the entire period for which it has produced transactional data (the “Corrected Data”) and, if so, Winn-Dixie shall promptly produce the Corrected Data, and (iii) “why [the emails collected from C&S’s three custodians] came from just two out of nine years in the discovery period,” and

whether emails for the remaining seven years exist and can be searched using the terms previously directed by the Court (ECF Nos. 1930 at 3; 1879-2; 1891).

3. By **December 21, 2022**, Keurig shall file a letter (the “Letter”) advising the Court as to the documents and information it has received from Winn-Dixie in response to this Order. The Court reserves decision on the Motion pending its receipt of the Letter.
4. Keurig shall promptly order a transcript of the Conference.

Dated: New York, New York  
December 14, 2022

SO ORDERED.

  
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**SARAH L. CAVE**  
**United States Magistrate Judge**